

### **REMARKS**

Claims 1-5, 7-17, and 29-32 are pending. Claims 1, 4, 8, 29, and 31 have been amended. No new matter has been added.

#### **Rejections under 35 U.S.C. §103(a)**

Claims 1-5, 8-17, and 29-32 have been rejected as being obvious over US Patent No. 4,881,179 to Vincent (Vincent) in view of US Patent No. 6,369,840 to Barnett et al. (Barnett) under 35 USC §103(a). In light of the remarks below, Applicant respectfully requests reconsideration and withdrawal of the rejection.

With respect to amended claim 1, the cited references, individually or in combination, do not teach or suggest a computer implemented method comprising receiving an input for a first time-slot of a plurality of time-slots of a first party's calendar from a second party, the first and second parties being different parties, and the second party being associated with a group affiliation or a user type or both, and the group affiliation or user type or both having one or more defined access privileges, wherein the one or more defined access privileges are defined for specific time-slots of the plurality of time-slots of the first party's calendar; and processing said received input in accordance with the access privilege of the second party's associated group affiliation or user type or both for the first time-slot.

Vincent discloses a calendaring system in which various security levels may be defined based on the desired security access for various events. There is no teaching or suggestion of the above discussed time-slot based calendaring method.

In particular, Vincent does not teach or suggest defining access privileges based on specific time-slots as recited in claim 1. Instead, Vincent defines access based on an event security level, or assigning security access privileges to an individual so that such an individual may access events at or below their security

access level. Claim 1 specifically recites “wherein the one or more defined access privileges are defined for specific time-slots of the plurality of time-slots of the first party’s calendar” which is clearly distinguishable from Vincent in which access privileges are defined for specific events, or assigned to individuals to determine which events they can access.

Claim 1 thus provides a novel method in which the access privileges for one or more parties may be defined specifically based on specific time-slots. In this manner, a user may control access to his/her calendar during the specific time-slots without regard for the particular type of event being read from or written to those time-slots (assuming no further added limitation based on events).

For example, using the method of claim 1, a “second party” may be provided access to the time-slot of 9am-5pm Monday through Friday of the “first party’s calendar” such that the second party can read and/or write data to the first party’s calendar from 9am-5pm Monday through Friday. In such an example, an event has not been defined as part of the access privilege, instead an access level has been defined which indicates whether or not, and to what extent, the second party can access the first party’s calendar during a particular time period and then read and/or write data.

By comparison, Vincent allows a first party to enter an event into his/her calendar and to indicate in that event the security level access for that event. Then, a second party possessing that level of security access can later view the event. Thus, the access is defined for the event, not for the time-slot. Again, claim 1 is distinguishable by specifying that “the one or more defined access privileges are defined for specific time-slots”.

Clearly, Vincent uses event-based access privileges and claim 1 defines time-slot based access privileges.

In addition, Vincent allows the assignment of a security access level to an individual, which allows that individual to access events that are at or below that individual's access level. In this regard, the Office Action cites Column 9, line 53 through Column 10, line 15, for a teaching of access levels. However, the 5 access levels simply define which events an individual may view depending on the defined security level of the event and the individuals designated security access level. Thus, in accordance with Vincent, if a first party has entered two events into his/her calendar, one that is Confidential and one that is Unclassified, a second party having a permission level of Unrestricted would only be able to view the second of those two events regardless of the time-slots in which those events occur. That is because the security access of Vincent is event-driven, whereas the security access defined in claim 1 is time-slot based. Furthermore, in Vincent, when an individual is assigned a particular security access permission level (see Column 9, lines 62-65), the designation is for that particular individual with no bearing on or connection to any particular time-slot. Clearly the intention of this system in Vincent is to maintain security of events so that certain parties are not permitted to view certain events. Quite differently, a purpose of claim 1 is to provide a user (calendar owner) control over the particular time-slots to which various parties have access.

The method of claim 1 further allows for the creation of communities connected through the calendar and, in part, based on the defined time-slots. An example of such a community provided in the specification is for students and teachers, in which a student may grant a teacher access privileges only during the school hours. Thus, in an example, a student may grant a teacher read/write access to his/her calendar during the hours of 10am to 5pm (Monday and Wednesday), and as a result the teacher may read/write to the student's calendar for the time-slot of 10am-5pm (Monday and Wednesday). Without a further added limitation, the teacher would have the ability to read/write to the student's calendar only during the defined time-slot and regardless of the type of event(s) present. As stated above,

claim 1 provides a time-slot driven access privilege, whereas Vincent provides only event-driven access permissions.

Barnett teaches the creation of group calendars in which the members of the group may read/write to the calendar and different levels of access may be provided to each member. However, Barnett does not teach or suggest defining access privileges based on specific time-slots as recited in claim 1. Barnett is cited for teaching the group calendar creation, but such a teaching merely provides for access to other calendars within a group. The "levels of access" are not further defined, and only teach event-based access, similar to that described in Vincent.

Both Vincent and Barnett thus teach the concept of event-based access to a shared calendar. In these references, as long as the access privilege of the user and the access level of the event match, the user will gain access to the event whenever that event occurs and, thus, the access privileges of the references are clearly event-based.

However, neither reference teaches or suggests time-slot based access privileges. As mentioned above, such a provision, as recited in claim 1, provides a function not taught or suggested by the cited references. Namely, claim 1 allows for an access privilege to be defined for one or more time-slots. Such a system allows for granular control of an individual's calendar and avoids, for example, having events scheduled outside the time-slots the user deems acceptable for particular individuals to schedule events. Meanwhile, claim 1 provides for open access to the specified time-slots to those users granted access (absent further restrictions based on type of events, etc.).

As such, Vincent and Barnett, individually or in combination, do not teach or suggest the features of claim 1 as discussed above. Therefore, when viewed as a whole, claim 1 is patentable over Vincent and Barnett, individually or in combination.

Independent claims 4, 8, 29, and 31 include in substance the same features as described above for claim 1. Thus, for at least the above stated reasons, claims 4, 8, 29, and 31 are not obvious and are patentable over the Office Action's proposed combination of Vincent and Barnett.

Claims 2-3, 5, 9-17, 30, and 32 depend, directly or indirectly, from either claim 1, 4, 8, 29, or 31, incorporating their limitations. Therefore, for at least the same reasons discussed above, claims 2-3, 5, 9-17, 30, and 32 are patentable over the combination of Vincent and Barnett.

In particular, claims 3 and 12 provide for an access privilege having the ability to write data into the first time-slot (see line 3 of claim 3, and line 4 of claim 12). The "write" feature of claims 3 and 12 provides a granular grant of write privileges for a time-slot.

Claims 3 and 12 are rejected over the combination of Vincent and Barnett. The Office Action points to Figures 4A and 5 of Vincent, which, in fact, do not provide such a feature.

Furthermore, the Office Action admits to this failure of Vincent at page 23, lines 3-5, in which it is stated that "Vincent does not explicit teaches the claimed limitation 'wherein the access privileges include an access privilege with an ability of writing an entry into said first time-slot.'" Since Vincent is cited for providing this feature in the rejection of claims 3 and 12, and the Office Action admits that Vincent does not contain such a teaching, claims 3 and 12 appear to be patentable over the cited combination of Vincent and Barnett.

Claim 7 is rejected as being obvious over Vincent in view of Barnett and further in view of US Patent No. 5,930,801 to Falkenhainer (Falkenhainer) under 35

USC §103(a). In light of the remarks below, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim 7 depends from claim 4, incorporating its limitations. Therefore, for at least the same reasons discussed above, claim 7 is patentable over the combination of Vincent and Barnett. Falkenhainer fails to overcome the deficiencies of Vincent and Barnett. Thus, claim 7 is patentable over the combination of Vincent, Barnett, and Falkenhainer.

In particular, Falkenhainer was cited for teaching access privilege with a write function. The cited portion of the reference reads "According to the present invention, individual files within the file system 12 are each associated with what is here called an "object." In the present context, an 'object' associated with a file in file system 12 is a set of metadata, or in other words, a field or string of data, which describes the access properties (read and/or write permissions), hierarchical relations, and other properties of the file." Such a description does not teach providing access privileges that include an ability of writing an entry into a first time-slot and an ability of viewing an entry in the first time-slot, as recited in claim 7. The write access described in Falkenhainer is provided file-by-file and provides no indication of time-slot based access.

Furthermore, the Office Action fails to provide any motivation to combine the cited references. There is merely a conclusory statement that "[i]t would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply Falkenhainer's teaching of access privilege with an ability of writing to Vincent's system in order to prevent [a] non-authority user to modify an owner's calendar without permission." Thus, the Office Action fails to establish a prima facie case of obviousness.

A teaching or suggestion to make the combination recited in the claims must be found in the prior art. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). In fact, none of Vincent, Barnett, or Falkenhainer provide a motivation to combine.

Further, rejections based on 35 USC §103(a) must have a factual basis. In re Warner, 379 F.2d 1011, 1017, 154 USPQ 173, 177-178 (CCPA 1967). In making such a rejection, an examiner has the duty of supplying the requisite factual basis and may not resort to speculation, unfounded assumptions, or hindsight reconstruction to supply deficiencies in the factual basis.

The motivation stated in the Office Action is lacking in any factual basis and merely states a hindsight justification for the present invention being made. A statement that one would have been motivated to make the combination cited in the Office Action because such a combination would prevent unauthorized users from modifying an owner's calendar simply states a purpose of the present invention. At no point, does the Office Action provide any indication of where one would find such motivation. In fact, the file-by-file accesses granted in Falkenhainer have little to do with the time-slot based read and write privileges defined in claim 7. For this additional reason, claim 7 is patentable over the combination of Vincent, Barnett, and Falkenhainer.

Conclusion

Applicant respectfully asserts that claims 1-5, 7-17, and 29-32 are in condition for allowance. Entry of the foregoing is respectfully requested and a Notice of Allowance is earnestly solicited. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

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/Steven J. Prewitt/

Steven J. Prewitt  
Reg. No. 45,023

Pacwest Center, Suites 1600-1900  
1211 SW Fifth Avenue  
Portland, Oregon 97204  
Telephone: 503-222-9981